

has drilled a well on said area to a depth of 1446 feet and then encountered cap rock and found no oil, and

Whereas, Said owner desires to further explore said area in order to save its investment therein and the time required for such exploration will in all probability extend beyond the present term of said permit,

Therefore,

A BILL

To Be Entitled

An Act to extend Oil and Gas Permit No. 10199, covering about 243 acres in the bed of the San Bernard River, issued on December 11, 1925, such extension to be for a period of two years from the present date of expiration of said permit, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Oil and Gas Permit No. 10199, covering about 243 acres of the bed of the San Bernard River in Brazoria County, Texas, issued to R. T. Jameson on December 11, 1925, for a term of two years is hereby extended for a term of two years from the date of its expiration.

Sec. 2. Upon the expiration of said original permit according to its present terms the Commissioner of the General Land Office shall issue to the said R. T. Jameson, or the assignees of said R. T. Jameson then owning said permit, a new permit upon the same terms and conditions as contained in the said original permit 10199, for a new term of two years from the date of the expiration of said original permit.

Sec. 3. The crowded condition of the calendar creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House of the Legislature be suspended and that this bill be placed upon third reading and final passage, and it is so enacted.

THIRTY-FIRST DAY.

Senate Chamber.

Austin, Texas.

Monday, February 28, 1927.

The Senate met at 10:00 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.
Parr.	

Absent—Excused.

Fairchild. Holbrook.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Lewis.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Hall.

S. B. No. 437, A bill to be entitled "An Act to revive and extend the time of expiration of Oil and Gas permit No. 7987 on 36.2 acres of the bed of Goose Creek in Harris County, Texas, for a period of three years from June 11, 1927, upon the same terms and conditions on which the original permit was issued, and declaring an emergency."

Read first time and referred to Committee on Public Land and Land Office.

By Senators Triplett, Reid and Floyd.

S. B. No. 438, A bill to be entitled "An Act providing that no money or benefits to be paid or rendered on a weekly, monthly, or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal annuities and benefits in use by any

employer, shall be liable to execution, attachment, garnishment or other process or operation of law to pay any debt or liability of the insured or any beneficiary, either before or after payment, except for premiums on such policy or debts of the insured secured by pledge thereof, and providing that whenever such policy or plan shall provide against assignments or commutations, assignments or commutations of a beneficiary in violation of such provision shall be void, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Wirtz.

S. B. No. 439, A bill to be entitled "An Act amending Articles 1111 to 1118 inclusive, Section 2, Chapter 10, Title 28, R. C. S. 1925; and extending the provisions thereof to permit all cities and towns operating under the said title to mortgage and encumber sewerage systems, sewerage disposal plants and other accessories and lands and rights of way in connection therewith, and the income therefrom, to secure bonds or notes issued for the purchase, construction, enlargement, improvement, or repair of such systems, subject to existing provision of law as now provided in the said articles respecting light systems or water systems; and providing that such bonds or notes shall have the characteristics of negotiable instruments under the law merchant; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Floyd.

S. B. No. 440, A bill to be entitled "An Act to authorize the State Highway Commission to employ a chief auditor of accounts and expenditures, three engineer accountants or inspectors, and two equipment inspectors, fix their compensation and pay for the same out of the State Highway Fund."

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Floyd.

S. B. No. 441, A bill to be entitled "An Act fixing the maximum fees and excess fees that may be retained by the county attorney of any county having a population of as many as

25,000 and not more than 37,500, in which county there is no city containing over 25,000 inhabitants and such county attorney performs the duties of a district attorney provided by law to perform such duties; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Wood.

S. B. No. 442, A bill to be entitled "An Act to amend Chapter 69 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Second Called Session in 1919, same being a Special Road Law for Burnet County, by adding thereto Section 2a, etc., and declaring an emergency."

Read first time and referred to Committee on State Highway and Motor Traffic.

Simple Resolution No. 66.

Senator Lewis sent up the following resolution:

Whereas, the Regular Session of the Fortieth Legislature is now rapidly drawing to a close, less than two weeks thereof yet remaining, and,

Whereas, the calendar of the Senate is quite long and much legislation of great importance to the people of Texas remains unenacted,

Therefore, I move that the Senate hold night sessions on Monday and Tuesday of this week.

LEWIS.

The resolution was read and adopted.

Simple Resolution No. 67.

Senator Stuart sent up the following invitation:

Whereas, the Governor of the State of Texas, the Legislature and other State officials have not visited officially the cities of Fort Worth and Dallas for the past 17 years, and

Whereas, the development and progress of these two cities since said time has been tremendous until at the present time they are the center of population of the State of Texas, and

Whereas, the population of these two cities has increased more than 200 per cent until they have become the outstanding industrial, manufacturing and wholesale distributing points of North Texas, and

Whereas, we desire that the Governor, the members of the Legislature and other State officials become familiar with the needs, conditions and development of these two cities, and

Whereas, on the fifth of March of this year the gates of the Annual Southwestern Exposition and Fat Stock Show of Texas, to be held in Fort Worth, will be opened to the public, and

Whereas, it is the desire and custom that the Governor of Texas shall formally open this great Exposition and Stock Show, and

Whereas, said Exposition and Stock Show has become nationally famous on account of the exhibitions of the live stock industry of the State of Texas, and

Whereas, there will be assembled at this Exposition and Stock Show as great a collection of fine stock of every kind and character as may be seen at any place in the United States, and

Whereas, the rodeo feature of the show of this year promises to be the greatest in the history of the Southwestern Exposition, and

Whereas, the greatest trick riders, broncho busters, ropers and bull doggers ever assembled will be in Fort Worth at the opening of this show to entertain the Governor, members of the Legislature, and other State officials, and

Whereas, on the night of the fifth of March there will be a great spectacular pageant and show consisting of the crowning of the Queen for the occasion, and

Whereas, the Chambers of Commerce of Dallas and Fort Worth realize that the Governor, members of the Legislature and other State officials are among the most progressive citizens of Texas, and have a great vision for the welfare and progress of the State of Texas, and

Whereas, it is contemplated that an attendance upon this Exposition and Fat Stock Show and a view of the progress and development of these two great cities will give to our visitors a better understanding of the progress, needs and development of the State of Texas,

Therefore we, the Chambers of Commerce of these two cities, hereby extend to the Governor, the Lieutenant Governor, the members of the

Senate, the Speaker of the House, the members of the House of Representatives and other State officials our most hearty invitation and request to be our guests at the opening of this Show and Exposition.

There will be furnished a special train and plenty of entertainment without cost to our guests. We shall consider it a favor, a pleasure and an honor to have you accept our invitation.

DALLAS CHAMBER OF COMMERCE,

FORT WORTH CHAMBER OF COMMERCE.

The invitation was read, and on the motion of Senator Stuart, was accepted.

House Bill No. 161.

On the motion of Senator Wood H. B. No. 161 was re-referred to the Committee on State Affairs.

House Joint Resolution No. 5

Senator McFarlane moved that H. J. R. No. 5 be printed upon the minority report.

The motion to print prevailed by the following vote:

Yeas—20.

Bailey.	Pollard.
Berkeley.	Real.
Bowers.	Reid.
Creer.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Witt.
Neal.	Woodward.

Nays—2.

Moore.	Wood.
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Absent.

Bledsoe.	Price.
Floyd.	Westbrook.
Miller.	Wirtz.
Parr.	

Absent—Excused.

Fairchild.	Holbrook.
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Bill Signed.

After its caption was read the Chair signed, in the presence of the Senate,

S. C. R. No. 20.

Senate Bills No. 216 and 412.

On motion of Senator Wood S. B. No 216 and S. B. No. 412 were made special order for Tuesday morning after the morning call.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1927,
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

H. C. R. No. 28, assenting of the State of Texas to the Purnell Fund.
Respectfully submitted,
M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1927,
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for a Free Conference on S. B. No. 30 and the following Committee is appointed on the part of the House:

Brown, Fly, Shaver, Snelgrove, Holder.

Respectfully submitted,
M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1927,
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 536, A bill to be entitled "An Act to relieve the Banking Commissioner of Texas and the State Banking Board from giving cost bonds in trial courts, and cost bonds and supersedeas bonds on appeal; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 545, A bill to be entitled "An Act amending Article 506, Revised Civil Statutes, 1925, and requiring State banks and State bank and trust companies to increase their capital stock when there shall be an

undue excess of deposits over capital stock and surplus, and giving the Banking Commissioner authority to require an additional increase of capital stock of such corporations when necessary for the protection of depositors; prescribing the ratio of deposits to capital stock and surplus; requiring annual reports of total average daily deposits and from the time thereof; making directors personally liable to depositors in event of failure to comply with the provisions of this act, and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act providing for and regulating the amendment of charters of State banks and State bank and trust companies; and declaring an emergency."

H. B. No. 7, A bill to be entitled "An Act prohibiting the sale, offer for sale and exposing for sale, within this State, for human consumption, and the transportation and delivery to any common carrier for transport within this State, of diseased, immature, unripe, over-ripe or frost damaged oranges, lemons, grapefruit or other citrus fruits; or any oranges, the juice of which shall contain more than one and three-tenths per centum, by weight, of crystallized citric acid; or any grapefruit, the juice of which shall contain more than one and three-fourths per centum, by weight, of crystallized citric acid; or any misbranded citrus fruit; defining the offense of misbranding citrus fruit; prescribing the powers of the Commissioner of Agriculture with regard to the provisions of this act; making his official certificate admissible in evidence in proof of certain facts; and fixing a penalty for violation of the provisions of this act, and declaring an emergency."

H. B. No. 531, A bill to be entitled "An Act prescribing the rate of interest that State banks, directors and officers thereof, may pay upon deposits made with such corporations."

With engrossed rider.

H. B. No. 532, A bill to be entitled "An Act prohibiting the sale by any officer, director or employe of a State bank, any note, security or property to such bank without the written consent of the board of directors."

H. B. No. 533, A bill to be entitled

"An Act prohibiting any person from being president and cashier, at the same time, in any bank, organized and operating under the laws of this State."

H. B. No. 534, A bill to be entitled "An Act to authorize the admission in evidence, in suits to which the Banking Commissioner of Texas may be a party, of all books, records, papers and documents, or certified copies thereof, of insolvent banks in course of liquidation by the Banking Commissioner; and providing that such originals or certified copies shall be prima facie evidence of the facts therein contained, and declaring an emergency."

H. B. No. 535, A bill to be entitled "An Act allowing the recovery of attorney's fee and interest on stockholders' assessments in suits against stockholders of State banks to enforce their personal liability, and declaring an emergency."

H. B. No. 316, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended from time to time, so as to include Fort Bend county."

H. B. No. 480, A bill to be entitled "An Act to amend Article 952, Revised Criminal Statutes of 1925, so as to provide better protection for fish and marine life in the counties of Comal, Guadalupe, Bexar, Kerr, Bandera and Real, and by adding Medina county to the above mentioned counties; repealing Article 953, Revised Criminal Statutes of 1925, and declaring an emergency."

H. B. No. 537, A bill to be entitled "An Act to amend Chapter 78 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath County, by adding thereto Section 2a, authorizing the commissioners' court of Erath county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1927,
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 275, A bill to be entitled "An Act amending Article 1601 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the time within which such applications may be made and elections held to remove county seats in certain instances, and declaring an emergency."

H. B. No. 317, A bill to be entitled "An Act to amend Section 5 and Section 6, of Chapter 37, of the General Laws enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 to 169, of the General Laws of the Regular Session of the State of Texas."

H. B. No. 355, A bill to be entitled "An Act authorizing any city of more than 100,000 population to disannex for school purposes only, territory which is not within such city and has been annexed for school purposes, and prescribing the means and terms of such disannexation, and declaring an emergency."

H. B. No. 483, A bill to be entitled "An Act providing that whenever any unorganized county within this State has become or may hereafter become organized the district judge within whose judicial district it is situated shall fix the time for holding court therein; and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 484, A bill to be entitled "An Act to amend Section 70, of Article 199, of Title 8, of the Revised Civil Statutes of Texas, by changing the time of holding the terms of the district court of the Seventieth Judicial District of Texas, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorneys of said district, and fixing their compensation; repealing all laws or parts of laws in conflict herewith and providing when said act shall be effective."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bills:

H. B. No. 463, A bill to be entitled
"An Act providing for the classifica-
tion of elementary and high schools
by the county board of trustees; pro-
viding for free tuition for certain
high school students; repealing Ar-
ticle 2678, Revised Statutes, 1925,
and all other laws in conflict here-
with, and declaring an emergency."

H. B. No. 522, A bill to be entitled
"An Act repealing the Special Act
of the Thirty-eighth Legislature of
the State of Texas, known as Chap-
ter 7, House Bill No. 105, creating
and incorporating Webster Indepen-
dent School District in Harris coun-
ty, Texas, out of the territory com-
posing Common School Districts Nos.
19 and 13, of said county; providing
that the title of the school property
vested in said Common School Dis-
tricts Nos. 19 and 13, shall vest in
said Webster Independent School
District, and that said independent
school district assume debts of said
Common School Districts Nos. 19
and 13; providing for the board of
trustees of said Webster Indepen-
dent School District; providing for
the time and manner of their elec-
tion; defining their power and
duties, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Senate Bill No. 7.

The Chair laid before the Senate,
as special order, the following bill:

S. B. No. 7, A bill to be entitled
"An Act to amend Article 1855 of
the Revised Civil Statutes, 1925, so
as to require Courts of Civil Appeals
to certify to the Supreme Court any
question of law involved in a de-
cision of the Court of Civil Appeals
in any case which conflicts with an
opinion rendered by the Supreme
Court or by some other Court of
Civil Appeals of this State, and any
question of law involved in any
case before the Court of Civil Ap-
peals of which the Court has final
jurisdiction, which is important to
the jurisprudence of the State and

which has not been previously de-
cided by the Supreme Court, and to
authorize the Supreme Court to
issue writs of mandamus to compel
the certification of such question;
and to repeal Subdivision 6 of Ar-
ticle 1728, Revised Statutes, 1925,
giving the Supreme Court jurisdic-
tion of such questions by writ of
error; and declaring an emergency."

The bill was read second time.

The committee substitute was
adopted.

The bill was read and passed to
engrossment.

On motion of Senator Bailey, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 7 put on its
third reading and final passage, by
the following vote:

Yeas—27.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Floyd.	Smith.
Greer.	Stuart.
Hall.	Triplett.
Hardin.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Moore.	Wood.
Neal.	Woodward.
Pollard.	

Absent.

Miller.	Parr.
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Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and
passed finally.

Senate Bill No. 181.

On motion of Senator Pollard, S.
B. No. 181 was laid on the table
subject to call.

Senate Bill No. 186.

The Chair laid before the Senate,
as special order, the following bill:

S. B. No. 186, A bill to be entitled
"An Act regulating elections and
primary elections and nominations
and providing for a better primary
election system in this State; pro-
viding for a preferential or first and
second choice ballot in primaries and
declaring an emergency."

The bill was read second time.

Address by Dr. Bruce R. Payne.

The Chair appointed Senators Bailey, Witt, and Wirtz as a committee to escort Dr. Bruce R. Payne, of Tennessee, to the Senate.

Senator Bailey introduced Dr. Payne, who briefly addressed the Senate.

Simple Resolution No. 68.

Senator Westbrook received unanimous consent to send up the following resolution:

We ask the consent of the Senate to employ Miss Audrey Wilborn in the engrossing and enrolling rooms as the work has become heavy and will rapidly increase from now until the close of the Session. We further ask the Senate to allow her \$5.00 per day as her compensation.

The resolution was read and adopted.

Senate Bill No. 244.

On motion of Senator Russek, S. B. No. 244 was recommitted to the Committee on Banks and Banking.

Senate Concurrent Resolution No. 26.

Senator Love sent up the following resolution:

Be It Resolved by the State Senate of Texas, the House of Representatives concurring therein, that, as representatives of the people of Texas, we do hereby extend a hearty invitation to Mr. Claude G. Bowers, the author of the notable book "Jefferson and Hamilton, The Struggle for Democracy in America", and one of the editors of the New York World, to deliver an address in the Hall of the House of Representatives on Thomas Jefferson's birthday, April 13, 1927, and that the President of the Senate and the Speaker of the House are requested to advise Mr. Bowers by wire of the adoption of this resolution.

The resolution was read and adopted.

House Bills Read and Referred.

After their captions were read, the Chair referred the following bills:

H. B. No. 534, referred to Committee on Banks and Banking.

H. B. No. 535, referred to Committee on Banks and Banking.

H. B. No. 536, referred to Committee on Banks and Banking.

H. B. No. 545, referred to Committee on Banks and Banking.

H. B. No. 546, referred to Committee on Banks and Banking.

H. B. No. 531, referred to Committee on Banks and Banking.

H. B. No. 537, referred to Committee on Highways and Motor Traffic.

H. B. No. 275, referred to Committee on Privileges and Elections.

H. B. No. 317, referred to Committee on State Affairs.

H. B. No. 355, referred to Committee on Education.

H. B. No. 483, referred to Committee on Judicial Districts.

H. B. No. 484, referred to Committee on Judicial Districts.

H. B. No. 485, referred to Committee on Judicial Districts.

H. B. No. 316, referred to Committee on Privileges and Elections.

H. B. No. 480, referred to Committee on State Affairs.

H. B. No. 7, referred to Committee on Agriculture.

H. B. No. 532, referred to Committee on Banks and Banking.

H. B. No. 533, referred to Committee on Banks and Banking.

H. C. R. No. 28, referred to Committee on Agriculture.

Recess.

On motion of Senator Bowers, the Senate at 12:10 o'clock recessed until 2 o'clock.

After Recess.

The Senate was called to order at 2 o'clock, pursuant to recess, by Lieutenant Governor Miller.

Senate Bill No. 186.

The question recurred upon S. B. No. 186.

Senator Pollard moved that the further consideration of this bill be indefinitely postponed.

Senator Berkeley moved to table the motion. His motion was lost by the following vote:

Yeas—6.

Berkeley.
Hall.
Lewis.

McFarlane.
Price.
Witt.

Nays—14.

Bailey.	Real.
Bledsoe.	Russek.
Floyd.	Smith.
Moore.	Stuart.
Neal.	Ward.
Parr.	Wirtz.
Pollard.	Wood.

Present—Not Voting

Greer.

Absent.

Bowers.	Miller.
Hardin.	Reid.

(Pairs Recorded.)

Senator Triplett (present), who would vote yea; with Senator Holbrook (absent), who would vote nay.

Senator Love (present), who would vote yea; with Senator Woodward (absent), who would vote nay.

Senator Westbrook (present), who would vote yea; with Senator Fairchild (absent), who would vote nay.

The motion of Senator Pollard to postpone the further consideration of S. B. No. 186 indefinitely was adopted.

Simple Resolution No. 69.

Senator Wood received unanimous consent to send up the following resolution:

Be It Resolved by the Senate that Hon. J. L. Peeler, former member of the Senate, be granted the privileges of the floor for the purpose of extending an invitation to an old-time barbecue.

The resolution was read and adopted.

The Chair appointed Senator Wood to conduct Mr. Peeler to the platform.

Hon. J. L. Peeler Speaks.

The Chair introduced Hon. J. L. Peeler who extended to the Senate, employees, and newspaper representatives an invitation to attend an old-fashioned barbecue at Barton Springs Thursday afternoon at 5:30.

On motion of Senator Wood, the invitation was accepted.

Senate Bill No. 214.

The Chair laid before the Senate, as special order, the following bill:

S.B. No. 214, A bill to be entitled "An Act amending Article 3102 of

the Revised Civil Statutes of 1925, relating to primary elections and nominations of candidates by political parties etc., and declaring an emergency."

Senator Pollard moved to lay the bill on the table subject to call.

Senator Greer moved to table the motion. His motion was lost by the following vote:

Yeas—10.

Berkeley.	Lewis.
Bowers.	McFarlane.
Greer.	Neal.
Hall.	Reid.
Hardin.	Witt.

Nays—14.

Bailey.	Moore.
Bledsoe.	Parr.
Floyd.	Pollard.
Miller.	Real.

Russek.	Ward.
Smith.	Wirtz.
Stuart.	Wood.

Absent.

Price.

(Pairs Recorded.)

Senator Triplett (present), who would vote yea; with Senator Holbrook (absent), who would vote nay.

Senator Love (present), who would vote yea; with Senator Woodward (absent), who would vote nay.

Senator Westbrook (present), who would vote yea; with Senator Fairchild (absent), who would vote nay.

Senator Parr moved to postpone the further consideration of S. B. No. 214 indefinitely.

Senator Greer moved to table the motion. The motion to table prevailed.

Senator Pollard's previous motion to lay the bill on the table subject to call prevailed.

House Joint Resolution No. 25.

On motion of Senator Bailey, H. J. R. No. 25 was laid on the table subject to call.

Senate Bill No. 153.

The Chair laid before the Senate, as special order, the following bill:

S. B. No. 153, A bill to be entitled "An Act amending Article 6203,

Title 108, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The committee amendment was lost.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 153, line 26, page 1 by adding after the word pardon the following: "Provided that before said application may be considered it shall be published in some newspaper of the county where the crime was committed three consecutive weeks, however, if there is no newspaper published in said county then said notice shall be published in the newspaper nearest said county having a general circulation in the county where the crime was committed."

The amendment was lost by the following vote:

Yeas—12.

Bowers.	McFarlane.
Greer.	Moore.
Hall.	Neal.
Hardin.	Reid.
Lewis.	Smith.
Love.	Triplett.

Nays—13.

Berkeley.	Stuart.
Bledsoe.	Ward.
Floyd.	Westbrook.
Miller.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Russek.	

Absent.

Bailey.	Real.
Price.	Woodward.

Absent—Excused.

Fairchild. Holbrook.

The motion of Senator Wood to reconsider the vote on the adoption of the committee amendment was lost.

The bill was read second time and passed to engrossment.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 153 put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Bledsoe.
Berkeley.	Bowers.

Floyd.	Reid.
Greer.	Russek.
Hardin.	Smith.
Lewis.	Stuart.
Love.	Triplett.
McFarlane.	Ward.
Miller.	Westbrook.
Neal.	Witt.
Parr.	Wood.
Pollard.	Woodward.
Real.	

Nays—2.

Hall.	Wirtz.
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Absent.

Moore.	Price.
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Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally, by the following vote:

Yeas—22.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Floyd.	Reid.
Greer.	Smith.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Witt.
Miller.	Wood.
Neal.	Woodward.

Nays—4.

Bailey.	Parr.
Hall.	Wirtz.

Absent.

Moore.	Stuart.
Russek.	

Absent—Excused.

Fairchild.	Holbrook.
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C. S. S. J. R. for S. J. R. Nos. 4, 9, 10, 12.

The chair laid before the Senate, on second reading, the following Senate Joint Resolution:

C. S. S. J. R. Nos. 4, 9, 10, 12, A joint resolution "Proposing an amendment to the State Constitution repealing any and all provisions in the Constitution of Texas fixing or limiting the compensation or expenses of the Governor, the Lieu-

tenant Governor, the Attorney General, members of the Legislature, the State Treasurer, the Secretary of State, the Comptroller of Public Accounts, or the Commissioner of the General Land Office, and providing that hereafter said officers shall receive such compensation and expenses as may be provided by law.

The committee report was adopted.

The resolution was read second time and passed to engrossment.

Senate Joint Resolution No. 5.

On motion of Senator Witt, S. J. R. No. 5 was laid on the table subject to call.

Senate Bill No. 231.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 231, A bill to be entitled "An Act authorizing board of regents to grant leaves of absence in State educational institutions to teachers and professors to the end that they may prosecute and continue their studies and preparation in other colleges and universities after they have served a certain length of time in the State educational institutions of this State; and declaring an emergency."

Senator Lewis sent up the following amendment:

Amendment No. 1, S. B. No. 231.

Amend Senate Bill No. 231, page 1, line 16, by inserting after the word "institution" the words "of higher learning."

The amendment was read and adopted.

Senator Reid sent up the following amendment:

Amendment No. 2, S. B. No. 231.

Amend S. B. No. 231 by adding after the word "professor", line 26, the words "in the State of Texas."

The amendment was read and adopted.

Senator Reid sent up the following amendment:

Amendment No. 3, S. B. No. 231.

Amend S. B. No. 231 by adding after the word "professor," line 28, the words "in the State of Texas."

The amendment was read and adopted.

Senator Smith sent up the following amendment.

Amendment No. 4, S. B. No. 231.

Amend S. B. No. 231 so as to change ten per cent to six per cent or fractional part thereof.

The amendment was lost.

Senator McFarlane sent up the following amendment:

Amendment No. 4, S. B. No. 231.

Amend S. B. No. 231 by adding after line 3, page 2, the following:

"Provided that no money shall be paid to any person under the provisions of this act if they shall receive pay for any services while away on said leave of absence."

The amendment was read and adopted.

Senator Pollard moved to indefinitely postpone the further consideration of this bill.

Senator Bowers moved to table the motion.

The motion to table was adopted by the following vote:

Yeas—15.

Bailey.	Neal.
Bledsoe.	Parr.
Bowers.	Price.
Greer.	Reid.
Hall.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	

Nays—10.

Berkeley.	Real.
Floyd.	Russek.
Hardin.	Westbrook.
Miller.	Wirtz.
Pollard.	Wood.

Absent.

Moore.	Witt.
Smith.	Woodward.

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read second time and passed to engrossment by the following vote:

Yeas—14.

Bailey.	Greer.
Bledsoe.	Hall.
Bowers.	Love.

McFarlane.	Triplett.
Neal.	Ward.
Price.	Witt.
Reid.	The Chair.

Nays—13.

Berkeley.	Real.
Floyd.	Russek.
Hardin.	Stuart.
Lewis.	Westbrook.
Miller.	Wirtz.
Parr.	Wood.
Pollard.	

Absent.

Moore.	Woodward.
Smith.	

Absent—Excused.

Fairchild.	Holbrook.
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The vote being a tie, the Chair, Lieutenant Governor Barry Miller, voted "yea," and declared the bill passed.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 231 put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Floyd.	Reid.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Witt.
Miller.	Wood.
Neal.	

Nays—2.

Russek.	Wirtz.
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Absent.

Moore.	Woodward.
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Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and failed to pass finally, by the following vote:

Yeas—13.

Bailey.	Greer.
Bledsoe.	Hall.
Bowers.	Love.

McFarlane.	Triplett.
Neal.	Ward.
Price.	Witt.
Reid.	

Nays—14.

Berkeley.	Real.
Floyd.	Russek.
Hardin.	Smith.
Lewis.	Stuart.
Miller.	Westbrook.
Parr.	Wirtz.
Pollard.	Wood.

Absent.

Moore.	Woodward.
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Absent—Excused.

Fairchild.	Holbrook.
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Senate Bill No. 174.

The Chair laid before the Senate, on third reading, the following bill:

S. B. No. 174, A bill to be entitled "An Act to amend Section 5 and Section 6 of the General Laws, enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 and 169 of the General Laws of the Regular Session of the State of Texas."

The bill was read third time and passed finally.

Senate Bill No. 364.

The Chair laid before the Senate, on third reading, the following bill:

S. B. No. 364, A bill to be entitled "An Act amending Article 1302 of the Revised Civil Statutes of 1925 so as to authorize the formation of private corporations for the purposes of acquiring, owning and colonizing land, provided that no such corporation shall acquire or own more than _____ acres of land in this State; repealing any law or part of law in conflict herewith; and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 254.

The Chair laid before the Senate, on third reading, the following bill:

S. B. No. 254, A bill to be entitled "An Act to relieve the Board of Regents of the University of Texas, and the executor, devisees and estate of W. J. McDonald, deceased, from the payment of and liability for inheritance taxes with respect to the W. J. McDonald Observatory Fund be-

queathed by the will of said McDonaId to such regents as trustees."

The bill was read third time and passed finally by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Floyd.	Russek.
Hall.	Smith.
Lewis.	Stuart.
Love.	Triplett.
McFarlane.	Ward.
Miller.	Westbrook.
Moore.	Wirtz.
Neal.	Witt.
Parr.	Wood.

Nays—1.

Greer.

Absent.

Hardin. Woodward.

Absent—Excused.

Fairchild. Holbrook.

Bills Introduced.

Unanimous consent was granted to send up the following bills:

By Senator Wirtz:

S. B. No. 443, A bill to be entitled "An Act ratifying and validating an election heretofore held in and throughout Guadalupe County, Texas, upon the question of authorizing the issuance of \$752,000.00 special road bonds of said county, and levying a tax in payment thereof; ratifying and validating the petition for such election, the order calling such election and notices thereof, and all other orders passed by the commissioners' court of said county in respect thereto, including the order declaring result of such election and the order authorizing the issuance of such bonds and levying a tax in payment thereof; authorizing the commissioners' court and proper officers of Guadalupe county to complete the issuance of such bonds; ratifying and validating the taxes levied in payment of such bonds, and authorizing and directing the commissioners' court to levy, assess and collect annually a general ad valorem tax upon all taxable property in said county

sufficient to pay the interest on said bonds and the principal thereof as they mature; and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Smith, by request:

S. B. No. 444, A bill to be entitled "An Act amending Arts. 1111 to 1118 inclusive, Section 2, Chapter 10, Title 8, R. C. S., 1925, etc."

Read first time and referred to Committee on State Affairs.

By Senator Floyd:

S. B. No. 445, A bill to be entitled "An Act amending Article 1929 of the Revised Civil Statutes of 1925 so as to eliminate from said article the provisions requiring the county judge to get permission from the commissioners' court to leave the county or State, and so as to change the provisions of said Article relative to the county judge attending to his duties and being absent; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 446, A bill to be entitled "An Act amending Article 402 of the Penal Code of 1925 so as to provide that any county judge in this State who shall practice or offer or attempt to practice as an attorney at law in any county court or court of a justice of the peace, except in cases where the court over which he presides has neither original nor appellate jurisdiction, shall be fined not less than one hundred dollars nor more than five hundred dollars; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Parr:

S. B. No. 447, A bill to be entitled "An Act to create a court to be known as the County Court of Cameron County at Law; to define the jurisdiction of said court, to fix the terms thereof; to provide the clerk to be appointed by the county clerk of Cameron County, to fix the qualification, bond and salary of the judge and clerk thereof, etc., and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Parr:

S. B. No. 448, A bill to be entitled "An Act validating the bonds of Cameron County Water Improvement District Number Five, in Cameron County, Texas, in the sum of Six hundred thousand dollars, authorized by an election held in said district on the 21st day of December, A. D. 1926, and validating all the acts done and performed by the board of directors and officers, attorneys, agents, servants and employees of said district, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 449, A bill to be entitled "An Act amending Chapter 25, Section 138 of the General Laws of the Thirty-ninth Legislature of the State of Texas passed at the Regular Session relating to the organization and government of water control and improvement districts and authorizing said districts to sell surplus water for irrigation purposes for lands other than those included in the district, and to supply certain waters to other districts and for other purposes, removing the restriction as to the period for which sale of water may be made, and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and drainage.

By Senator Parr:

S. B. No. 450, A bill to be entitled "An Act to amend Section 1, Chapter 611, Acts Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 1 of Hidalgo County, Texas, under authority of Section 52, of Article 3 of the Constitution of the State of Texas, etc., and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

Senate Bill No. 267.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 267, A bill to be entitled "An Act to amend Articles 904 and 904a of the Revised Civil Statutes of the State of Texas, relating to the fee for non-residents who reside in border counties of other states adjoining the State line of

Texas, provided that same exemption shall be in effect as to only such non-residents of such states as may adopt a reciprocal provision exempting residents of border counties in Texas from the non-resident license fee."

The bill was read third time.

House Bills Read and Referred.

After their captions had been read, the Chair referred the following bills:

H. B. No. 522, read and referred to Committee on Educational Affairs.

H. B. No. 463, read and referred to Committee on Educational Affairs.

Senate Bill No. 320.

Senator Westbrook received unanimous consent to take up out of its regular order the following bill:

S. B. No. 320, A bill to be entitled "An Act making invalid intrastate sales in this State of prison made goods, wares, merchandise and articles, and so forth, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 320, put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Greer.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	

Absent.

Floyd. Woodward.

Absent—Excused.

Fairchild. Holbrook.

The bill was read third time and passed finally.

Senate Bill No. 199.

Senator Wood received unanimous consent to take up out of its regular order, the following bill:

S. B. No. 199, A bill to be entitled "An Act amending Section 1 of Chapter 44 of the General Laws of the Regular Session of the Thirty-ninth Legislature relating to bounties for the destruction of certain predatory animals, so that said Chapter 44 will hereafter include and apply to the counties of Burnet and Llano, in addition to the counties now mentioned in Chapter 44; and declaring an emergency."

Motion to Reconsider Night Session.

Senator Floyd moved to reconsider the vote by which S. R. No. 66 was adopted.

The motion prevailed.

Senator Witt moved that the Senate recess until 7:30 p. m.

Senator Wirtz moved as a substitute that the Senate adjourn until 9:30 o'clock a. m., Tuesday.

The motion was lost by the following vote:

Yeas—12.

Bledsoe.	Moore.
Bowers.	Russek.
Floyd.	Ward.
Greer.	Westbrook.
Hardin.	Wirtz.
Miller.	Wood.

Nays—16.

Bailey.	Pollard.
Berkeley.	Prcie.
Hall.	Real.
Lewis.	Reid.
Love.	Smith.
McFarlane.	Stuart.
Neal.	Triplett.
Parr.	Witt.

Absent.

Woodward.

Absent—Excused.

Fairchild. Holbrook.

Bill Signed.

After its caption had been read, the Chair signed in the presence of the Senate, H. B. No. 118.

Recess.

The motion of Senator Witt to recess until 7:30 p. m., was adopted. The Senate recessed at 5:25 p. m.

After Recess.

The Senate was called to order at 7:30 o'clock p. m., pursuant to recess by Lieutenant Governor Miller.

Senate Bill No. 199.

The question recurred upon the engrossment of S. B. No. 199.

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 270.

Senator Hall received unanimous consent to take up out of its regular order, the following bill:

S. B. No. 270, A bill to be entitled "An Act to amend Chapter 17, Title; Cities, towns and villages—Articles 1213 of the Revised Civil Statutes of Texas of 1925, so that assessments for street widening and street opening may be made payable in not exceeding sixteen annual payments, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 271.

Senator Hall received unanimous consent to take up out of its regular order, the following bill:

S. B. No. 271, A bill to be entitled "An Act to authorize the establishment of building lines on streets in cities which now have, or may hereafter have, five thousand or more inhabitants, and to provide the manner in which damages may be determined and paid and benefits assessed and collected."

The bill was read second time and passed to engrossment.

Senate Bill No. 303.

Senator Wirtz received unanimous consent to take up out of its regular order the following bill:

S. B. No. 303, A bill to be entitled "An Act to amend Article 5519, of the Revised Civil Statutes of Texas, 1925, etc."

The bill was read second time.

The amendment by Senator Wirtz printed in the Journal of February 18th, 1927, was read and adopted.

The bill was passed to engrossment.

Senate Bill No. 414.

Senator Parr received unanimous consent to take up out of its regular order the following bill:

S. B. No. 414, A bill to be entitled "An Act repealing Chapter 1, of the Special Laws of the First Called Session of the Thirty-ninth Legislature, the same being an Act relating to Common School Districts Nos. 1, 2 and 4 of Starr County, Texas, and Rio Grande City Independent School District in Starr County, Texas, and also relating to Rio Grande City Consolidated Independent School District in Starr County, Texas, and declaring an emergency."

The bill was read second time.

The committee report was adopted.

The bill was passed to engrossment.

Senate Bill No. 296.

Senator Love received unanimous consent to take up out of its order the following bill:

S. B. No. 296, A bill to be entitled "An Act requiring the school authorities in cities having a population of five thousand inhabitants and over to provide sufficient and adequate protection against fire or panic in school buildings under the management and control of such school authorities, etc., and declaring an emergency."

The bill was read second time.

The committee report was adopted.

The bill was passed to engrossment.

Senate Bill No. 298.

Senator Russek received unanimous consent to take up out of its order the following bill:

S. B. No. 298, A bill to be entitled "An Act amending Articles 1697 and 1700, of the Revised Civil Statutes, 1925, granting authority to the commissioners' court of the several counties in Texas to establish law libraries and declaring an emergency."

The bill was read second time.

The bill was passed to engrossment.

Senate Bill No. 324.

Senator Stuart received unanimous consent to take up out of its order the following bill:

S. B. No. 324, A bill to be entitled "An Act authorizing the creation of trust companies, defining their powers, fixing their liabilities, providing for the manner and form of their incorporation, providing for the supervision of the same by the State Bank-

ing Commissioners, providing for reserves against deposits, and declaring an emergency."

The bill was read second time.

Senator Stuart sent up the following amendments:

Amendment No. 1 to S. B. No. 324.

Amend the bill by striking out all below the enacting clause and in lieu thereof add the following:

Section 1. That any corporation heretofore and hereafter organized under the provisions of Chapter 4, Title 16, Revised Civil Statutes of the State of Texas of 1925, or under Section 49 of Article 1302 of said Revised Civil Statutes, or under S. B. No. 232, passed at the Regular Session of the Fortieth Legislature of the State of Texas, may hereafter use the words "trust company" as a part of its corporate name; and no such corporation shall be required to use the word "bank" in designating the name of such corporation.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. The fact that under the provisions of the laws of the State of Texas now in existence, corporations organized and doing a trust business can not use the words "trust company" but are required to use the word "bank" in the designation of its corporate name, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and adopted.

Amendment No. 2 to S. B. No. 324.

Amend the caption of S. B. No. 324 by striking out the present caption and in lieu thereof insert the following:

An Act to permit corporations organized under the provisions of Chapter 4, Title 16, Revised Civil Statutes, State of Texas of 1925, or under Section 49 of Article 1302 of said Statutes, or under S. B. No. 232, passed by the regular session of the Fortieth Legislature, to use the words "trust company" in its

corporate name, and to omit the use of the word "bank" from such corporate name; and declaring an emergency.

The amendment was read and adopted.

The bill was passed to engrossment.

Senate Bill No. 193.

Senator Wood received unanimous consent to take up the following bill:

S. B. No. 193, A bill to be entitled "An Act providing for the payment of an annual salary of \$500.00 per annum to county attorneys in those counties in Texas wherein there is no district attorney, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 380.

Senator Witt received unanimous consent to take up the following bill:

S. B. No. 380, A bill to be entitled "An Act amending Article 416 of the Revised Civil Statutes of 1925, relating to savings banks; authorizing the investment of the saving deposits of such banks in additional classes of securities; enacting provisions better regulating such investments, and declaring an emergency."

The bill was read second time.

Senator Witt sent up the following amendments:

Amendment No. 1 to S. B. No. 380.

Amend S. B. No. 380 by striking out paragraph numbered 2, page 1 and substituting the following:

"2. In bonds, warrants, interest bearing notes, or other obligations issued under due authority of law in payment for improvements made or property purchased; bearing a fixed rate of interest and payable within a definite number of years or over a series of years; of any city, county, town or school district or other subdivision of this State, now organized or which may hereafter be organized, and which is now or may hereafter be authorized to issue bonds under the Constitution and Laws of this State, which has not defaulted in the payment of any part of either principal or interest thereof within five years previous to making such investments;"

The amendment was read and adopted.

Amendment No. 2 to S. B. No. 380.

Amend S. B. No. 380, Section 2 of the printed bill by adding to said section the following words:

"and, in addition thereto, in assignable certificates issued by any city, town, or village for street paving, the payments of which are secured by first liens fixed on the abutting properties by assessments levied in accordance with law and thereby made the personal obligations of the abutting property owners."

The amendment was read and adopted.

The bill passed to engrossment.

Senate Bill No. 323.

Senator Ward received unanimous consent to take up out of its order the following bill:

S. B. No. 323, A bill to be entitled "An Act authorizing the district judge to appoint auditors to audit the books of any incorporated city or town in his judicial district, and making it his duty to do so upon the application of three or more taxpayers of said city or town; prescribing the authority of such auditors and providing for their compensation; enacting Article 1001-a, of the Revised Civil Statutes 1925, and declaring an emergency."

the motion of Senator Ward.

The bill was read second time and laid on the table subject to call on

Senate Bill No. 285.

Senator Ward received unanimous consent to take up the following bill:

S. B. No. 285, A bill to be entitled "An Act to amend Article 1025 of the Code of Criminal Procedure of 1925, fixing the fees of county and district attorneys, and declaring an emergency."

The bill was read second time.

The committee report was adopted.

The bill was passed to engrossment.

Senate Bill No. 358.

Senator McFarlane received unanimous consent to take up out of its order the following bill:

S. B. No. 358, A bill to be entitled "An Act providing for a report and record of real estate sold for taxes and for the publication of same; prescribing the information and data that shall be included in connection therewith; prescribing the

duties of the sheriff or constable relative to making reports of sales of real estate for taxes to the county clerk; providing for the removal from office of the county clerk, sheriff or constable violating or failing to comply with the provisions of this Act; providing for all matters and things incidental to said purposes and declaring an emergency."

The bill was read second time.

Senator McFarlane moved that the minority report that the bill do pass be adopted.

Senator Stuart moved to table the motion.

The motion to table prevailed by the following vote:

Yeas—12.

Bailey.	Price.
Berkeley.	Real.
Floyd.	Russek.
Lewis.	Stuart.
Parr.	Wirtz.
Pollard.	Wood.

Nays—12.

Bledsoe.	Neal.
Greer.	Reid.
Hall.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Moore.	Witt.

Absent.

Bowers.	Smith.
Hardin.	Woodward.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The vote being a tie, the Chair, Lieutenant Governor Barry Miller, voted "yea," and the motion to table prevailed.

Senate Bill No. 317.

Senator Pollard moved to suspend the regular order of business and to take up out of its order S. B. No. 317.

The motion prevailed by the following vote:

Yeas—23.

Bailey.	Love.
Berkeley.	Moore.
Bledsoe.	Neal.
Floyd.	Parr.
Greer.	Pollard.
Hall.	Price.
Lewis.	Real.

Reid.	Westbrook.
Russek.	Wirtz.
Stuart.	Witt.
Triplett.	Wood.
Ward.	

Present—Not Voting

McFarlane.

Absent.

Powers.	Smith.
Hardin.	Woodward.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The Chair laid before the Senate the following bill:

S. B. No. 317, A bill to be entitled "An Act to prevent the employment of attorneys by officers, heads of departments, educational, eleemosynary, or other institutions of the State, with certain exceptions, providing that it shall be the duty of the Attorney General in person, or by such of his assistants as he may designate, to attend, whenever practicable, all meetings of the State Highway Commission, the State Textbook Commission, the Railroad Commission, the Prison Commission, the Intangible Tax Board, the Industrial Accident Board, the Board of Regents of the University of Texas, the Board of Directors of the Agricultural and Mechanical College of Texas, and the Boards of Education of any and all State Educational institutions of Texas, and any and all hearings before such boards, commissions or commissioners, etc., and declaring an emergency."

The bill was read second time.

Senator Wirtz sent up the following amendment:

Amendment No. 1.

Amend S. B. No. 317, by adding a new section after Section 1, to be numbered Section 1a, reading as follows: "Provided that any such institution or department or the governing board thereof may employ counsel to assist the Attorney General, to be approved by the Attorney General; or in the event there are two or more departments or institutions having adverse interests the party not represented by the Attorney General may employ council.

The amendment was read and adopted.

Senator Price sent up the following amendment:

Amendment No. 2.

Amend S. B. No. 317, Page 2, Line 4, at the end of Section 1 of the bill by adding the following: "Provided nothing in this Act shall be construed as prohibiting the Commissioner of Banking from employing such counsel as may be necessary for the enforcement of the banking laws."

The amendment was read and adopted.

The bill was ordered engrossed by the following vote:

Yeas—12.

Berkeley.	Price.
Floyd.	Real.
Hall.	Russek.
Moore.	Triplett.
Parr.	Ward.
Pollard.	Wirtz.

Nays—11.

Bailey.	Neal.
Bledsoe.	Reid.
Greer.	Westbrook.
Lewis.	Witt.
Love.	Wood.
McFarlane.	

Absent.

Bowers.	Smith.
Hardin.	Stuart.
Miller.	Woodward.

Absent—Excused.

Fairchild.	Holbrook.
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Senate Bill No. 161.

Senator Berkeley received unanimous consent to take up out of its regular order the following bill:

S. B. No. 161, A bill to be entitled "An Act to prevent the spread of disease through surface privies and cesspools, prescribing certain regulations, localizing authority for the enforcement of same and placing of penalty, and declaring an emergency."

The bill was read second time and ordered engrossed.

Senate Bill No. 272.

Senator Floyd received unanimous consent to take up out of its order the following bill:

S. B. No. 272, A bill to be entitled "An Act to amend Article 6698, Revised Statutes of 1925, so as to permit cities and towns to regulate

traffic of certain commercial motor vehicles and charge a fee sufficient to pay the expense of such regulation, and declaring an emergency."

The bill was read second time.

The bill failed to be engrossed by the following vote:

Yeas—4.

Floyd.	Westbrook.
Russek.	Wirtz.

Nays—21.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Greer.	Reid.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Witt.
McFarlane.	Wood.
Neal.	Woodward.
Parr.	

Absent.

Bowers.	Moore.
Miller.	Smith.

Absent—Excused.

Fairchild.	Holbrook.
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Senate Bill No. 290.

Senator Bailey received unanimous consent to take up out of its order the following bill:

S. B. No. 290, A bill to be entitled "An Act to amend Article 3935 of the Revised Civil Statutes of Texas, 1925, relating to and providing for the fees and compensation of justices of the peace, and declaring an emergency."

The bill was read second time.

The committee report carrying amendment was adopted.

The bill was ordered engrossed.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 290, put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Love.
Berkeley.	Moore.
Bledsoe.	Neal.
Greer.	Parr.
Hall.	Pollard.
Hardin.	Price.
Lewis.	Real.

Reid.	Westbrook.
Russek.	Wirtz.
Stuart.	Witt.
Triplett.	Wood.
Ward.	Woodward.

Nays—1.

Floyd.

Absent.

Bowers.	Miller.
McFarlane.	Smith.

Absent—Excused.

Fairchild. Holbrook.

The bill was read third time and passed finally.

Senate Bill No. 252.

Senator Reid received unanimous consent to take up out of its order the following bill:

S. B. No. 252, A bill to be entitled "An Act to require the subject of fire prevention and the relation of fire prevention to the conservation of life and property and to the cost of fire waste and insurance and the principles of construction in building to prevent and control fire, and the relation of insurance to fire waste, to be taught in the public schools of this State and also in all other schools conducted in the State in which instruction is given corresponding to that given in the public schools providing that the teaching of fire prevention shall include the practice of fire drills, and prescribing the duties of the State Superintendent of Public Instruction and the State Fire Insurance Commission in the administration of said Act, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 199.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 199 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Hardin.
Berkeley.	Lewis.
Bledsoe.	Love.
Floyd.	McFarlane.
Greer.	Moore.
Hall.	Neal.

Parr.	Triplett.
Pollard.	Ward.
Price.	Westbrook.
Real.	Wirtz.
Reid.	Witt.
Russek.	Wood.
Stuart.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild. Holbrook.

The bill was read third time and passed finally.

Senate Bill No. 270.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 270 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild. Holbrook.

The bill was read third time and passed finally.

Senate Bill No. 271.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 271 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Floyd.
Berkeley.	Greer.
Bledsoe.	Hall.

Hardin.	Reid.
Lewis.	Russek.
Love.	Stuart.
McFarlane.	Triplett.
Moore.	Ward.
Neal.	Westbrook.
Parr.	Wirtz.
Pollard.	Witt.
Price.	Wood.
Real.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 303.

On motion of Senator Russek, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 303 was put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 414.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 414 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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Senate Bill No. 296.

On motion of Senator Love, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 296 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Lewis.
Berkeley.	Love.
Bledsoe.	McFarlane.
Floyd.	Moore.
Greer.	Neal.
Hall.	Parr.
Hardin.	Pollard.

Price.	Ward.
Real.	Westbrook.
Reid.	Wirtz.
Russek.	Witt.
Stuart.	Wood.
Triplett.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 298.

On motion of Senator Russek, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 298 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 324.

On motion of Senator Stuart, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 324 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Greer.
Berkeley.	Hall.
Bledsoe.	Hardin.
Floyd.	Lewis.

Love.	Russek.
McFarlane.	Stuart.
Moore.	Triplett.
Neal.	Ward.
Parr.	Westbrook.
Pollard.	Wirtz.
Price.	Witt.
Real.	Woodward.
Reid.	Wood.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 193.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 193 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 380.

The bill was read second time and passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 380 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 161.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 161 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 285.

On motion of Senator Wood, the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 285 was put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Woodward.
Parr.	Wood.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 317.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 317 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 252.

On motion of Senator Reed, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 252 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 116.

Senator Greer received unanimous consent to take up out of its order the following bill:

S. B. No. 116, A bill to be entitled "An Act to amend Article 3936 of the Revised Civil Statutes of 1925 of the State of Texas, by making the fees of office for the constable more nearly conform to the fees allowed the sheriffs of the State; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Stuart, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 116 was put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Lewis.
Berkeley.	Love.
Bledsoe.	McFarlane.
Floyd.	Moore.
Greer.	Neal.
Hardin.	Parr.

Pollard.
Price.
Real.
Reid.
Russek.
Stuart.
Triplett.

Ward.
Westbrook.
Wirtz.
Witt.
Wood.
Woodward.

Nays—1.

Hall.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally.

Senate Bill No. 416.

Senator Woodward received unanimous consent to take up out its order the following bill:

S. B. No. 416, A bill to be entitled "An Act relating to the jurisdiction of the county court of Sterling County, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this Act and declaring an emergency."

The bill was read second time, committee report adopted, and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 416 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers. Smith.
Miller.

Absent—Excused.

Fairchild. Holbrook.

The bill was read third time and passed finally.

Senate Bill No. 417.

Senator Woodward received unanimous consent to take up out its order the following bill:

S. B. No. 417, A bill to be entitled "An Act relating to the jurisdiction of the county court of Irion County, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this Act, and declaring an emergency."

The bill was read second time. Committee report was adopted and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 417 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers. Smith.
Miller.

Absent—Excused.

Fairchild. Holbrook.

The bill was read third time and passed finally.

Senate Bill No. 176.

Senator Ward received unanimous consent to take up out of its order the following bill:

S. B. No. 176, A bill to be entitled "An Act amending Article 3883a of the Revised Civil Statutes of 1925, the same being Article 3883 as contained in Chapter 32, General Laws of the Regular Session of the Thirty-ninth Legislature, relating to maximum fees of certain officers governed by what is known as the fee bill, so as to fix the maximum of such officers according to the last United States Census instead of the census of 1910, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 146.

On the motion of Senator Real, S. B. No. 146 was made special order after the special orders already set for tomorrow.

Senator Real sent up the following amendments to be printed in the Journal:

Amend S. B. No. 146, Section 1, by adding at the end of Section 1 the following: "Except the right is reserved to give manicure and scalp massage to males."

Amend S. B. No. 146 on page 2, line 29 by striking out "Ten (\$10.00) Dollars" and insert in lieu thereof the following: "Five (\$5.00) Dollars."

Amend S. B. No. 146 on page 3, line 15, by striking out "Ten Thousand (\$10,000) Dollars," and insert the following: "Five Thousand (\$5,000) Dollars."

Amend S. B. No. 146 on page 5, line 23, by striking out Twenty-five (\$25.00) Dollars by inserting in lieu thereof the following: "Fifteen (\$15.00) Dollars."

Amend S. B. No. 146, Section 13, by inserting after the word "barbers," line 12, as follows:

"which may include the bobbing of hair, shampooing, facial massaging and scalp treatment for females."

Amend S. B. No. 146, Section 13, by adding at the end of Section 13, the following: "nor shall this Act apply to students in schools and colleges giving services for hire to fellow students."

Amend S. B. No. 146, by adding at the end of Section 13, the following: "Operators working in Cosmetic

Therapy establishments whose occupation is only that of cutting hair, shall be considered Barbers by this Act."

Senate Bill No. 375.

Senator Love received unanimous consent to take up out of its regular order, the following bill:

S. B. No. 375, A bill to be entitled "An Act regulating the duties of the county board of trustees of the public schools of this State, in all counties having 210,000 population or more, according to the last preceding Federal census, etc., and declaring an emergency."

The bill was read second time.

Senator Love sent up the following amendment:

Amend Senate Bill No. 375 by striking out in lines 18, 19 and 20 on page 2 of the printed bill the words "city school district shall be reduced in extent without the consent of the board of trustees of such city school district" and inserting in lieu thereof the following: "independent school district having more than five hundred (500) scholastics shall be changed without the consent of its board of trustees."

Also amend Senate Bill No. 375 by striking out Section 8 and inserting in lieu thereof the following:

Section 8. It shall be the duty of any school district into which the county shall be subdivided under this Act to provide adequate and convenient means of transportation to and from the schools of such school children in any district as it may be reasonably necessary to make such provision for and to establish such routes for that purpose as the board of trustees of such district may deem advisable and to alter and change the same from time to time and the expense of such transportation shall be paid by the district in which such children may reside."

Also amend Senate Bill No. 375 by inserting in line 3 at the beginning of Section 10 on page 6 the following:

"For each county subject to the provisions of this Act the board of county school trustees shall consist of seven members, three of whom shall be elected from the county at large by the qualified voters of the county, and one from each commissioner's precinct by the qualified vot-

ers of such precinct, all of whom shall be elected on the first Saturday in April after this Act shall take effect and every two years thereafter for a term of two years. All vacancies on such board shall be filled by the remaining trustees. Such board of county school trustees shall have the powers and duties and possess the qualifications provided by law with respect to county school trustees generally in this State."

Also amend Senate Bill No. 375 by inserting after Section 1 on page 2 the following:

"It shall be the further duty of the county board of school trustees at their first meeting after the State apportionment of available school funds has been made or as soon thereafter as practicable to apportion the available school funds of the county to the respective school districts within their jurisdiction on a per capita basis as shown by the last scholastic census, provided that the county board of school trustees shall be first required to set aside the entire available funds arising from the county permanent school funds, and to set aside not less than five per cent or not more than ten per cent of all other available school funds of the county derived from all other sources including the State per capita apportionment, the said sums so set aside to constitute a county equalization fund that shall not be apportioned on a per capita basis but shall be expended by the said county board of school trustees as a fund for equalizing as far as possible educational opportunities in the county and giving special aid to small and weak schools and to extend the school privileges of such children as have no other adequate provision for schooling in the districts in which they live, and to defray the costs of the county school administration. Provided that no part of such county equalization fund shall be expended in any school district in which there is not levied and collected taxes for school purposes amounting to one dollar (\$1.00) on the one hundred (\$100.00) dollars of taxable property."

Amend the caption by inserting after the words "equitable basis" in line 18 on page 1 the following: "providing a method of apportioning school funds to the respective districts and providing for the elec-

tion of the county board of school trustees."

The amendment was read and adopted.

The bill was passed to engrossment

On motion of Senator Love, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 375 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lew's.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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The bill was read third time and passed finally, by the following vote:

Yeas—25.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Stuart.
Hardin.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Absent.

Bowers.	Smith.
Miller.	

Absent—Excused.

Fairchild.	Holbrook.
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Senate Bill No. 211.

Senator Neal received unanimous consent to take up out of its regular order the following bill:

S. B. No. 211, A bill to be entitled "An Act prescribing that physical education courses approved by the State Department of Education shall be taught in Texas Public Schools; providing for the certification of teachers of physical education; and authorizing the State Superintendent of Public Instruction to provide for the direction and supervision of physical education instruction in the public schools."

The bill was read second time and passed to engrossment.

Adjournment.

On motion of Senator Wirtz the Senate at 10:30 p. m. adjourned until tomorrow morning at 10:00 o'clock a. m.

APPENDIX.

Petitions and Memorials.

A petition carrying resolutions signed by numerous citizens of Dallas County opposing S. B. No. 375, providing for the unification of the Dallas County school system.

Dallas, Texas,

February 26, 1927.

Lieut. Gov. Barry Miller,
Senate Chamber,
Austin, Texas.

Advised by morning paper of your action in passing concurrent resolution inviting me to address your distinguished body, shall certainly accept, the House concurring. I am deeply sensible and grateful for the honor.

BRUCE R. PAYNE.

Southeast Texas Retail Druggists'
Association

Houston, Texas,

February 25, 1927.

Lieut. Gov. Barry Miller,
Austin, Texas.

Dear Sir:

Enclosed you will find a resolution that is self-explanatory.

Be it Resolved, That the Southeast Texas Retail Druggists' Association assembled in Houston today, go on record as opposing House Bill No. 69. Regarding it as discriminatory, unjust and a useless burden.

Further be it Resolved, That a copy of these resolutions be spread on our minutes, also, a copy sent to the Governor Day Moody, Lieutenant Gover-

nor Barry Miller and the Speaker of the House R. L. Bobbitt. And copies sent to the press.

M. G. Thames, Beaumont, Hunter Hundle, Orange; Cecil Jones, Galveston.—Committee on Resolutions.

Mineral Wells, Texas,
February 27, 1927.

The Honorable State Senate,
Austin, Texas.

Mineral Wells with worlds of the best mineral water, is one of Texas' great assets. A magnificent hotel, our first of the really superb type, calculated to put us in the Hot Springs class will be formally opened March 11 with elaborate ceremonies.

We urge you to defer one week your date for visiting Fort Worth and Dallas and combine your attendance upon hotel opening with your original object.

Mineral Wells Chamber of Commerce.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled bills have had S. C. R. No. 20 carefully examined and compared and find the same correctly enrolled and have this day at 10:10 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 230 carefully examined and compared and find the same correctly enrolled and have this day at 10:10 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 223 carefully examined and compared and find the same correctly enrolled and have this day at 10:10 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 254 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 322 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 174 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 238 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 183 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 353 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 267 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 268 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 265 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 281 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 415 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 325 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 425 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 256 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 221 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 307 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 159 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 327 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 364 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 430 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 26, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 411; A bill to be entitled "An Act amending Article 7254 of the Revised Civil Statutes of 1925, so as to permit the payment of taxes on land or lots or parts of same where ownership in the same has passed to a person, firm or corporation other than the owner in whose name the same was assessed for taxation, whether the same was separately assessed or not and whether it constitutes the whole or a part of a tract, lot or block of land separately assessed or not; regulating the payment of such taxes; providing that the vendee may in case of suit to foreclose tax lien require the remainder of the tract from which he purchased land to be first subjected to payment of delinquent taxes before the part thereof purchased is subjected to sale under foreclosure for taxes on the same; prescribing duties of tax collector as to such payments, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the committee amendments hereto attached.

BAILEY, Chairman.

Committee Amendment.

Amend Senate Bill No. 411 by striking out of Article 7254 in Section 1 thereof the following words: "Provided that if such land or lot constitutes a part of a larger tract or lot, separately assessed, the taxes tendered shall be the proportionate part of the amount due on such larger tract based upon the number of acres so assessed and if a city lot or block, then the amount so tendered shall be the proportionate part of the amount due on such larger lot or block based upon the number of square feet assessed."

And inserting in lieu thereof the following:

"Provided that if such land or lot constitutes a part of a larger tract or lot, separately assessed, the taxes tendered shall be the proportionate part of the amount due on such larger tract or lot based upon the assessed value of same, and if the tax records do not show such proportionate value, then such proportionate value shall be fixed by the tax assessor so that the same may be paid separately as herein provided, and the tax assessor shall be entitled to one dollar for such service to be paid by the person desiring to pay such separate taxes."

Committee Amendment.

Amend said Senate Bill No. 411 by inserting in the caption just before the words "and declaring an emergency" the following:

"Prescribing the rule as to arriving at the proportionate value of said land or lots and prescribing the duties of the tax assessor in connection therewith, and his compensation."

Committee Room,
Austin, Texas, Feb. 26, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 428, A bill to be entitled "An Act creating a more efficient road system for Wilson County, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of

said county under the direction of the commissioners' court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners' court shall cooperate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal Government; authorizing the Commissioners' Court of Wilson County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 308, A bill to be entitled "An Act to amend Article 1898 of the Revised Civil Statutes relating to the appointment of deputies by district clerks, the purpose of the amendment being to provide that deputy district clerks shall take the official oath; to prescribe the manner in which they shall act and to define their powers."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 409, A bill to be entitled "An Act to amend Article 4401 and 4403 of the Revised Civil Statutes of Texas by providing that the Attorney General shall be authorized and re-

quired to attend sales of property under deeds of trust, to bid on and buy in and sell said property."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 291, A bill to be entitled "An Act amending Articles 3334 and 3336 of the Revised Civil Statutes of 1925, relating to the manner of service of citation on application for the probate of wills, and inserting Article 3334a validating the service of citation and the probating of wills, insofar as notice is concerned, where citation has been made by publication, as provided for by Article 28 without posting notices, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 20, A bill to be entitled "An Act to prevent fraud, misrepresentation or unfair practices in the sale of merchandise or other property by means of a plan commonly known as the "endless chain," imposing an occupation tax, fixing penalty and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Committee Amendment.

Amend H. B. No. 20 by striking out in Section 4 the figures "\$200.00" and inserting in lieu thereof the figures "\$25.00".

BAILEY, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was
referred

H. B. No. 35, A bill to be entitled
"An Act to amend Article 2494 of
the Revised Civil Statutes of 1925,
and declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate
with the recommendation that it do
pass, and be not printed, as S. B. No.
310, being the same bill has been
printed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
State Affairs, to whom was referred

H. B. No. 246, A bill to be entitled
"An Act to authorize and direct the
Secretary of State to exchange
Court Reports, Session Acts, and
other publications of other States,
and of the United States and of
foreign countries, for the benefit of
the law library of the University of
Texas, and declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass, and
be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
State Affairs, to whom was referred

S. B. No. 436, A bill to be entitled
"An Act to amend Article 955 of the
Revised Criminal Statutes of 1925
prohibiting the sale of fish taken
from fresh water streams of certain
named counties, and also providing
means and methods of taking and
possessing fish from fresh water
streams in said counties by omitting
name of the County of Milam from
said list of counties and declaring
an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate

with the recommendation that it do
pass, and be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
State Affairs, to whom was referred

H. B. No. 223, A bill to be entitled
"An Act to amend Article 4351, Re-
vised Civil Statutes, 1925, by adding
thereto Article 4351a, limiting the
amount of deficiency warrants the
Governor may approve, declaring all
warrants in violation hereof invalid
and unredeemable, and declaring an
emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
State Affairs, to whom was referred

H. B. No. 203, A bill to be entitled
"An Act to amend Article 6214,
Title 109 Revised Civil Statutes
1925, so as to provide that Confed-
erate Veterans receiving pensions
from the United States Government
on account of services rendered sub-
sequent to the Civil War, shall not
be deprived of pensions under the
General Laws of this State and de-
claring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
State Affairs, to whom was referred

S. B. No. 420, A bill to be entitled
"An Act to amend Article 2135 of
the Revised Civil Statutes of the
State of Texas, Revision of 1925, so
as to exempt all dentists engaged in
the actual practice from jury ser-
vice."

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate

with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 429, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of Texas enacted by the Thirty-ninth Legislature of the State of Texas in Regular Session in the year A. D. 1925 (prescribing the purposes for which private corporations may be organized) by adding thereto by appropriate number a subdivision, section or clause authorizing the organization and incorporation of hospitals or sanitariums for the care and treatment of, and surgery upon sick, diseased, infirm, disabled injured persons, and for such purpose to acquire, own and hold real estate, buildings, and structures, inclusive of buildings for homes for nurses, laboratories, clinics and offices for physicians and surgeons; and in furtherance, and not in limitation of its objects and powers, to do, any and all other acts and things and to exercise any and all other powers, rights and privileges which a co-partnership or natural person could do and exercise, and which may be authorized by law; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 374, A bill to be entitled "An Act amending Section 7d, Article 8306, Part 1, Title 130, Revised Civil Statutes of 1925, regulating the fees allowed attorneys in cases appealed to the Courts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 137, A bill to be entitled "An Act to amend Article 2350 of the Revised Civil Statutes of Texas, changing the year upon which is based the assessed valuation of taxable properties affected by the Act to be amended relating to the compensation of county commissioners; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the following committee amendment:

Committee Amendment.

Amend H. B. No. 137 by striking out of Section 1, the last paragraph thereof, reading as follows:

"Provided this increase shall not take effect during the present term of office of the officials now holding office."

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 161, A bill to be entitled "An Act amending Article 879, Chapter 6 of Title 13 of the Revised Criminal Statutes of Texas of 1925, which Article provides for the regulation of the seasons in which wild game may be hunted and killed and the seasons in which it is lawful to hunt and kill such wild game, including doves, quail, pheasant, turkey, rail, plover, ducks, prairie chickens, deer, bear and fox; and which amendment provides for seasons in which it shall be lawful to hunt and kill the wild game named and in which the season for hunting and killing such wild game shall be closed; and renumbering Article 879 into nine separate Articles as follows: 879, 879a, 879b, 879c 879d, 879e, 879f 879g, 879h; providing for no open season on prairie chicken in the Counties of Collingsworth, Donley, Wheeler and Gray, and changing time of open season on squirrels in Newton, Shelby, San

Augustine and Sabine Counties; and providing for the addition at the end of said Article to the proviso that there shall be no closed season for the hunting and killing of squirrels and that it shall be lawful to hunt and kill the wild red or fox squirrels and the wild gray squirrels, the counties of Gonzales, Austin, Harris, Coryell, Comanche, Hamilton, Erath, Hood, Coleman, Real, Kendal, Victoria, Medina, Uvalde, Zavala, Dimmitt, Jackson, Wharton, Edwards, Crockett, Bandera, Lavaca, Colorado, Fayette, Sutton, Bowie, Burleson, Baylor, Callahan, Cook, Collins, Calhoun, Cass, Cherokee, El Paso, Eastland, Falls, Foard, Goliad, Grayson, Hall, Haskell, Hardeman, Hays, Hopkins, Henderson, Jack, Johnson, Knox, King, Karnes, Lampasas, Limestone, Lee, Milam, Morris, Navarro, Parker, Red River, Titus, Throckmorton, Wilson, Washington and Young."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Committee Amendment.

Amend the bill by striking the names of the Counties of Falls, Limestone, Hopkins, Red River and Milam from the caption and from the body of the bill wherever they appear.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 435, A bill to be entitled "An Act to validate the sale of lot nine, in block six, town of Snyder, Scurry County, Texas, as shown by plat of said town on deed records of Scurry County, Texas, which sale was made by R. J. Nesbitt, county judge to R. F. Powell, September 15, 1884; and to vest fee simple title in R. F. Powell, his heirs and assigns; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

REAL, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 257, A bill to be entitled "An Act to relinquish and quit-claim unto cities and towns or municipalities which were established or founded, according to the records of the General Land Office, on March 10th, 1926, under the laws of Mexico, or the laws of Coahuila and Texas, and which had a population of thirty-one hundred and twenty-eight, according to the published United States census of 1920, all squares, blocks, or parcels of land, except streets, alleys and parks now situated in such cities or towns, to which squares, blocks or parcels of land the State of Texas may now have any right title or interest, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

REAL, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 362, A bill to be entitled "An Act relating to public lands, placing under the terms and provisions of the permit law for the development of oil and gas all public free school lands recovered from the Capitol Syndicate and heretofore sold and providing for the payment to the purchaser or owner ten cents per acre, and in addition a royalty equal to the market value of one-sixty-fourth (1/64th) of the gross production of oil and gas as an equivalent for his interest therein, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

REAL, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 257, A bill to be entitled "An Act relating to public lands and amending Articles 5338 and 5310, of the Revised Civil Statutes of 1925, the former so as to include unsurveyed public school, university and asylum lands, as well as all lands sold in which the State owns the minerals, continuing in force unexpired permits and leases thereon, and recognizing all applications now on file affecting said lands and estates therein, and the latter so as to include the lands recovered from the Capitol Syndicate, and providing that same, as well as all other public free school and asylum lands, shall be sold with the reservation of the oil, gas, coal and all other minerals known or unknown that may be therein, to the fund to which the land belongs and all applications shall so state; and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

REAL, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 421, A bill to be entitled "An Act to amend Chapter 65 of the Local and Special Laws enacted by the First Called Session of the Thirty-ninth Legislature of the State of Texas, known as House Bill No. 202, creating Road District No. 4, in Atascosa County, Texas, and validating certain district road bonds of said road district and proceedings had with respect to their issue, so as to repeal Section 3-B of said Special Act, legalizing, approving and validating the proposition of issuing district road bonds of said road district in the sum of four hundred and fifty thousand dollars (\$450,000.00) and certain orders and proceedings recited to have been had with respect thereto; declaring intention to in nowise affect any other provisions of said Special and Local Law; evidencing proof of publication of constitu-

tional notice required in such Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 256, A bill to be entitled "An Act repealing Chapter 15 of the Special Laws of the Thirty-seventh Legislature entitled 'An Act creating a more efficient road system for Hardin County, Texas; providing that each commissioner of the same shall be ex-officio road commissioner of his precinct; providing for an inspection of roads, bridges and culverts by said commissioner; providing for bonds, compensation and duties, and providing for the word of delinquent poll tax payers of the public roads and accepting certain compensation in lieu of road work; providing that commissioners' court shall have power to build roads, bridges, culverts, etc., by private contract; providing that the commissioners' court may employ a superintendent who shall be an experienced civil engineer in road building; providing penalties for the violation of this Act; and this Act shall be cumulative of all General Laws of this State not in conflict herewith, repealing Chapter 82, Special Laws, passed by the Thirty-second Legislature, and declaring an emergency.'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 300, A bill to be entitled "An Act requiring uniform fire hose couplings and fire hydrant hose outlets in all cities and towns having

public fire protection; setting forth specifications for uniform couplings and outlets; providing for carrying on the work of making all couplings and outlets uniform; making appropriation for salaries, traveling expenses and all other expenses necessary for placing in effect the provisions of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 537, A bill to be entitled "An Act to amend Chapter 78 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath County, by adding thereto Section 2a, authorizing the commissioners' court of Erath County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 442, A bill to be entitled "An Act to amend Chapter 69 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Second Called Session in 1919, same being a special road law for Burnet County, by adding thereto Section 2a, authorizing the commissioners' court of Burnet County to issue bonds of said county for the purpose of funding and refunding indebtedness incurred for road and bridge purposes and to levy a tax in pay-

ment thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, Feb. 28, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 438, A bill to be entitled "An Act providing that no money or benefits to be paid or rendered on a weekly, monthly, or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal insurance or under any plan or program of annuities and benefits in use by any employer, shall be liable to execution, attachment, garnishment or other process or operation of law to pay any debt or liability of the insured or any beneficiary, either before or after payment, except for premiums on such policy or debts of the insured secured by pledge thereof, and providing that whenever such policy or plan shall provide against assignments or commutations, assignments or commutations by a beneficiary in violation of such provision shall be void, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

MOORE, Chairman.

By Triplett, Reid, S. B. No. 438
Floyd, Witt, Love.

A BILL

To be Entitled

An Act providing that no money or benefits to be paid or rendered on a weekly, monthly, or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal insurance, or under any plan or program of annuities and

benefits in use by any employer, shall be liable to execution, attachment, garnishment or other process or operation of law to pay debt or liability of the insured or any beneficiary, either before or after payment, except for premiums on such policy or debts of the insured secured by pledge thereof, and providing that wherever such policy or plan shall provide against assignments or commutations, assignments or commutations by a benefit in violation of such provision shall be void, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. No money or benefits of any kind to be paid or rendered on a weekly, monthly or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal insurance, or under any plan or program of annuities and benefits in use by any employer, shall be liable to execution, attachment, garnishment or other process or be seized, taken or appropriated or applied by any legal or equitable process or operation of law to pay any debt or liability of the insured or of any beneficiary, either before or after said money or benefits is or are paid or rendered, except for premiums payable on such policy or a debt of the insured secured by a pledge thereof.

Sec. 2. Wherever any policy of insurance or plan or program of annuities and benefits mentioned in Section 1 of this Act shall contain a provision against assignment or commutation by any beneficiary thereunder of the money or benefits to be paid or rendered thereunder, or any rights therein, any assignment or commutation or any attempted assignment or commutation by such beneficiary of such money or benefits or rights in violation of such provision shall be wholly void.

Sec. 3. The fact that there are no provisions of law by which beneficiaries in life, health and accident insurance policies and employees under annuities and benefits plans of their employers are secured against creditors in the collection and enjoyment of the benefits and payments

provided for them, creates an emergency and imperative public necessity that the rule requiring bills to be read on three several days be suspended and that this Act shall take effect and be in force from and after its passage; and it is so enacted.

THIRTY-SECOND DAY.

Senate Chamber,
Austin, Texas, March 1, 1927.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Smith.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Stuart.

Absent—Excused.

Fairchild.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Hall:

S. B. No. 451, A bill to be entitled "An Act to amend Article 1323 of Chapter 3 of Title 32 of the Revised Civil Statutes of Texas of 1925, so as to provide that any corporation formed under subdivisions 1, 2 and 3, of Chapter 1 of Title 32 of such Revised Statutes may elect all or